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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,626	01/24/2002	Kenji Fukuda	8001-1009	3592

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EXAMINER

BAYERL, RAYMOND J

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/053,626

Applicant(s)

FUKUDA, KENJI

Examiner

Raymond J. Bayerl

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 - 4, 6 - 9, 13 - 18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 4, 6 - 9, 13 - 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 16 Sept 2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1 – 4, 6 – 9, 13 -18 are rejected under 35 U.S.C. 102(e) as being anticipated by Ovadya et al (U.S. Patent Application 2001/0009008).

Regarding independent claim 1 (and see comparable independent claims 13, 18), Ovadya discloses a file transmission system which distributes a file of a style in accordance with a request of each user terminal comprising a server connected to a network by teaching a server system 1 constituting the online service platform, a provider client system 2 and a user client system 3 communicating with each other via the Internet 4. (paragraph 12 lines 3-5) with a plurality of user terminals accessible to the server.

That each of the user terminals is capable of storing display style information in a memory before accessing the server is seen in the file format selection routine laid out by Ovadya: the server system 1 sends an HTML document holding information about possible file processing to the customer client system 3 (paragraph [0019]). By downloading the HTML document, the memory of an Ovadya client system has stored therein a description of options for “display style” of the finally-transmitted file, one of which is chosen.

Ovadya's user then transmits the display style information to the server when each of the user terminals accesses said server, when an interface I2 for the communication with the customer client system 3 is used for requesting to have a data file processed (paragraph 12 lines 6-11).

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Pursuant to the indication supplied via the interface 12, a distributor which receives display style information from each of the user terminals and distributes a file of a style in accordance with the display style information to each of the user terminals appears as webserver 13 providing webserver services for the customer client system 3 and the provider client system 2 and a webpage processor 14 (paragraph 13 lines 15-18). The examiner notes that web-server main purpose to display information to the client, by the client's specifying display style information in response to the HTML document dialog provided on that web-server.

As per claim 2, Ovadya discloses wherein the server includes an identification number generator which gives an identification number to each of the user terminals and that the distributor obtains display style information **corresponding to** the identification number (paragraph 13 lines 20-21; paragraph 14 lines 2-5). The examiner interprets Ovadya such that the client ID, given and used by the server to allow access and display customized pages to the client's browser, is made to be "corresponding to" the particular data file processing that takes place, once the user is logged on.

Concerning claim 3, Ovadya states that with receiving an access accompanied with no identification number, the distributor transmits select information for selecting a style to the user terminals Figure 2. In Figure item 5(3), if the user does not log in correctly, they will obtain an invitation to log in fully and thus obtain the "select information" that permits the overall process to proceed, at which point Ovadya's client system "transmits display style information" as "selected".

As per claim 4, Ovadya discloses that each of the user terminals includes a user memory, which stores the identification number given by the server and location information of the server (paragraph 13 lines 20-25), and when the user terminal accesses the server, the user terminal transmits a corresponding identification number to the server (paragraph 14 lines 1-5). The Ovadya client site maintains login information to the web-server, along with that server's location.

With regard to claims 6, 15, 16 Ovadya teaches that the server includes a memory that stores a plurality of files having different display styles (paragraph 13 lines 23-25), since the overall Ovadya process involves the server's uploading a file of some variant style, to which transformations are applied. Such a file is then selected by the "distributor", and "in accordance with the display style information" so as to produce the final effect.

Concerning claim 7, Ovadya, in maintaining an initial copy of the non-transformed file, also discloses that the server includes a memory which holds an original file to be distributed to each of the user terminals and a converter which converts a style of the original file in accordance with the display style information (see paragraph 19 lines 14-19).

The image-processing intensive arrangement of Ovadya discloses, as in claim 8, that the select information includes a presence of an image, a size of an image and a size of a display screen (paragraph 13 lines 15 and 19). The selection provided for in Ovadya also extends to display resolution, as in claim 9.

As per claim 14, Ovadya teaches a said server generating an identification number and transmitting the identification number to said user terminal in the form of user ID, as noted above. This login information, which provides access to the server's display style information (paragraph 13 lines 20-25) is accessed via location information of said server (paragraph 14 lines 1-4). Upon receipt of this login, the server is set to obtaining display style information corresponding to the identification number from said memory (Figure 2 items S(3) & S(4) & paragraph lines 5-10), by which said server then conducts distributing a file of a style in accordance with the display style information obtained from said memory to said user terminal.

Concerning claim 17, as noted previously, Ovadya states server distributing select information for selecting a said display style in response to a first access from said user terminal (see paragraph 6 lines 7-12), in the form of the HTML dialog from which a "style" may be selected.

3. Applicant's arguments filed 30 December 2004 have been fully considered but they are not persuasive.

Applicant argues at page 8 of the remarks that "OVADYA et al. do not disclose that the customer client stores display style information before accessing the server and does not disclose that this display style information is transmitted to the server when the customer client accesses the server". However, it seen in Ovadya that a selection interface is indeed provided, when Ovadya transmits an HTML document to the user for the selection of the procedure by which the subsequently-received document is to be transformed.

In the same paragraph applicant argues that "There is no reference to how the content is displayed (its display style)". However, the file processing that takes place in Ovadya, specific to imagery and documents as it is disclosed in the table at paragraph [0043], will indeed affect the various parameters of a finally-obtained and subsequently-viewed file, and thus, its appearance and display style.

As per the noted client IDs of Ovadya, applicant argues (page 9) that "It is believed that paragraph 14 has been misinterpreted in the Official Action to imply that the customer and/or provider client IDs 17, 19 are codes that identify the customer/provider client and the browser 20." However, it remains that the client identification as seen in Ovadya is used to reference the client user and thus corresponds to the style of data obtained in the finally processed file.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The additionally-cited US Patent documents (see attached form PTO-892) relate to server arrangements that provide user-specific styles for downloaded information.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any


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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond J. Bayerl whose telephone number is (571) 272-4045. The examiner can normally be reached on M - Th from 9:00 AM to 4:00 PM ET.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (571) 272-4048. All patent application related correspondence transmitted by FAX **must be directed** to the central FAX number (703) 872-9306.

8. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

  
RAYMOND J. BAYERL  
PRIMARY EXAMINER  
ART UNIT 2173

23 March 2005